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IN LAKE CHARLES, LA

MAY 26 2009
7AM
TONY R. MOORE, CLERK
WESTERN DISTRICT OF LOUISIANA

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION

WILNER GABRIEL

: DOCKET NO. 2:09-cv-359
SECTION P

VS.

: JUDGE TRIMBLE

MICHAEL MUKASEY, ET AL.

: MAGISTRATE JUDGE KAY

ORDER

Wilner Gabriel filed a *habeas corpus* petition in the above-captioned matter on March 4, 2009. Doc. 1. On May 22, 2009, the government filed a Motion to Dismiss with exhibits, representing to the court that Mr. Gabriel was removed from the United States pursuant to an order of deportation on May 13, 2009. Doc. 9.

Accordingly, it is ORDERED that the matter is DISMISSED WITHOUT PREJUDICE. Should the representation made to the court by the government be without verity, petitioner Gabriel shall notify the court and the action may be reopened for further proceedings.

THUS DONE AND SIGNED in Chambers at Lake Charles, Louisiana, on this 26th day of

May, 2009.


KATHLEEN KAY
UNITED STATES MAGISTRATE JUDGE